

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,
vs.

JOSEF DAVID WILLIAMS

Defendant.

CR-09-61-GF-BMM

ORDER

United States Magistrate Judge John Johnston entered Amended Findings and Recommendations in this matter on March 2, 2022. (Doc.100.)

When a party makes no objections, the Court need not review *de novo* the proposed Findings and Recommendations. *Bad Old Man v. Arn*, 474 U.S. 140, 153-52 (1986). This Court will review Judge Johnston's Findings and Recommendations, however, for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981).

Judge Johnston conducted a revocation hearing on March 1, 2022. (Doc. 98.)

The United States accused Williams of violating his conditions of supervised release 1) by being in the company of a child under the age of 18 without prior approval of his probation officer; 2) by failing to successfully complete his sex offender treatment program; 3) by knowingly interacting with a convicted felon; and 4) by possessing an unauthorized device that was capable of accessing online services. (Doc. 96.)

At the revocation hearing, Williams admitted that he had violated the conditions of his supervised 1) by failing to successfully complete his sex offender treatment program; and 2) by possessing an unauthorized device that was capable of accessing online services. Judge Johnston found that the government satisfied its burden of proof with respect to alleged violation 1 but failed to satisfy its burden of proof with respect to alleged violation 3. (Doc. 98.) Judge Johnston found that the violations Williams admitted proved to be serious and warranted revocation, and recommended that Williams receive a custodial sentence of 9 months, with a lifetime of supervised release to follow. (Doc. 100.) Williams was advised of his right to appeal and his right to allocute before the undersigned. (Doc. 100.) The Court finds no clear error in Judge Johnston's Findings and Recommendations.

Accordingly, **IT IS ORDERED** that Judge Johnston's Amended Findings and Recommendations (Doc. 100) are **ADOPTED IN FULL. IT IS FURTHER**

ORDERED that Defendant Josef David Williams be sentenced to the Bureau of Prisons for 9 months, with a lifetime supervised release to follow. Williams should serve his term of custody in a facility that is capable of providing him with sex offender treatment.

DATED this 24th day of March, 2022.



Brian Morris, Chief District Judge
United States District Court

